

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) Case No.23-cr-00038  
IRVING JHON MENDOZA-ALCANTARA, )  
Defendant. )

**MOTION FOR LEAVE TO APPEAR BY VIDEO CONFERENCE**  
**AT HEARING SET FOR JULY 26, 2023**

**TO THE HONORABLE COURT:**

**COMES NOW** Defendant, IRVING JHON MENDOZA-ALCANTARA, through the undersigned counsel and pursuant to the Fed. R. Crim. P., hereby moves this Court for leave to appear by phone or video conference at the arraignment hearing set for July 26, 2023, and very respectfully STATES, ALLEGES, and PRAYS:

1. This Honorable Court has scheduled an arraignment hearing on the Information [DE 44] for July 26, 2023, at 9:30 am [DE 45].
2. The undersigned attorney is a CJA appointed counsel who is off-island.
3. Defendant is also off-island per this Court's Order Setting Conditions of Release [DE 33] and has contemporaneously herewith filed a Waiver of Appearance and Plea of Not Guilty to all counts in the Information.
4. Accordingly, Defendant and undersigned counsel respectfully request that this Honorable Court allow the undersigned attorney and Defendant to appear via telephone or video conference for the scheduled Hearing to avoid any delay in holding the hearing.

**WHEREFORE**, it is respectfully requested that this Honorable Court takes notice of the above and enter an order allowing the undersigning attorney and Defendant to appear via VTC in for the Hearing scheduled for July 26, 2023, with any other order that this Court deems appropriate.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via CM/ECF and/or e-mail on this July 20, 2023, upon all parties of record.

Respectfully submitted,  
**PALOMARES-STARBUCK & ASSOCIATES**  
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By: /s/ Lorenzo J. Palomares Starbuck  
**Lorenzo J. Palomares-Starbuck, Esq.**  
*By appointment of the Court*